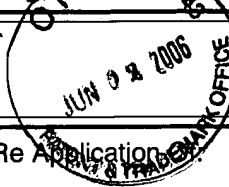

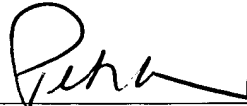
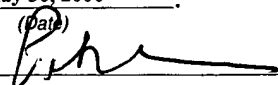
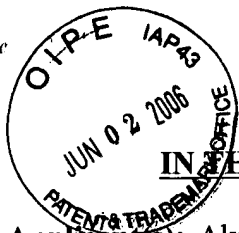


<div style="display: flex; justify-content: space-between;"> <div style="text-align: left;">  </div> <div style="text-align: center;"> TRANSMITTAL LETTER (General - Patent Pending) </div> <div style="text-align: right;">  </div> </div>		Docket No. 14683Z			
In Re Application: Akira Suyama, et al.					
Application No. 10/712,715	Filing Date November 13, 2003	Examiner Frank Wei Min Lu	Customer No. 23389	Group Art Unit 1634	Confirmation No. 2123
Title: METHOD OF DETECTING NUCLEIC ACID					
<u>COMMISSIONER FOR PATENTS:</u> Transmitted herewith is: Response Under 37 C.F.R. 1.111 AND 1.143					
in the above identified application. <input checked="" type="checkbox"/> No additional fee is required. <input type="checkbox"/> A check in the amount of _____ is attached. <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 19-1013/SSMP as described below. <div style="margin-left: 20px;"> <input type="checkbox"/> Charge the amount of _____ <input type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional fee required. </div> <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
 _____ <i>Signature</i>			Dated: May 30, 2006		
Peter I. Bernstein Registration No. 43,497 Scully, Scott, Murphy & Presser, P.C. 400 Garden City Plaza-Ste 300 Garden City, New York 11530 (516) 742-4343			<div style="border: 1px solid black; padding: 5px;"> I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>May 30, 2006</u>. <div style="text-align: center;">  (Pat) <i>Signature of Person Mailing Correspondence</i> Peter I. Bernstein <i>Typed or Printed Name of Person Mailing Correspondence</i> </div> </div>		
cc: PIB/ZY:ab					



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Akira Suyama, et al.

Examiner: Frank Wei Min Lu

Serial No: 10/712,715

Art Unit: 1634

Filed: November 13, 2003

Docket: 14683Z

For: METHOD OF DETECTING
NUCLEIC ACID

Dated: May 30, 2006

Confirmation No.: 2123

Commissioner for Patents
P.O. 1450
Alexandria, VA 22313-1450

RESPONSE UNDER 37 C.F.R. §§ 1.111 AND 1.143

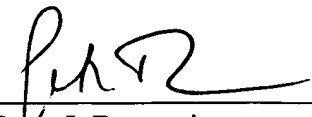
Sir:

In response to the Office Action dated April 28, 2006, setting forth a requirement for restriction and in accordance with the provisions of 37 C.F.R. §§ 1.111 and 1.143, Applicants

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on May 30, 2006.

Dated: May 30, 2006

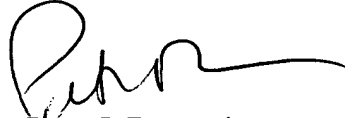


Peter I. Bernstein

provisionally elect Group I, Claims 17-25, drawn to a method of detecting or quantifying a target nucleic acid having a predetermined sequence in a specimen, classified in class 435, subclass 91.2.

In view of the foregoing, examination on the merits of the elected claims, at an early date, is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Peter I. Bernstein', with a long horizontal flourish extending to the right.

Peter I. Bernstein
Registration No. 43,497

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